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1 Q And when was that?

2 A I believe I transferred to Brewer  
3 in 1987.

4 Q Transferred to Brewer in 1987?

5 A Yes. I worked at Searcy  
6 previously, as a psychiatric social worker.

7 Q And then from Brewer you  
8 transferred to?

9 A The Community Services office,  
10 from program area to HTC.

11 Q Okay. Did you have to go through  
12 any interviews or anything when you moved to  
13 the Community Service office?

14 A I met with Ms. Stuardi. As far  
15 as an interview, probably, yes.

16 Q Do you know if your position was  
17 just relocated, or did you have to apply for  
18 a new position and interview?

19 A I don't recall.

20 Q When did you first have  
21 supervisory experience over Ms. Blackledge?  
22 Was that when you became Specialist IV in  
23 July of 2005?

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1 A No, it was not done at that time.

2 Q Okay. So it would be later in  
3 March 2006?

4 A Approximately, yes.

5 Q Whenever Ms. London was removed  
6 from their direct supervisor, right?

7 A Uh-huh. yes, I'm sorry.

8 Q And have you seen this document  
9 before, this Plaintiff's Exhibit 46?

10 A Yes, I've seen it.

11 Q And this is a memorandum  
12 indicating that effective March 27, 2006,  
13 Kendra Butler, CSS IV, will supervise  
14 Winifred Blackledge, Donna Buckley, and Jean  
15 Long?

16 A Yes.

17 Q And this is a memo from Jerryln.  
18 Did you have any discussions with Jerryln  
19 about this move?

20 A I was informed that I would be  
21 assigned the responsibility of supervising  
22 the three individuals.

23 Q Did she tell you why?

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1 A I'm sorry.

2 Q You're jumping ahead a little  
3 bit. That's okay. So from March 27th on,  
4 you've been Ms. Blackledge's direct  
5 supervisor, correct?

6 A Yes.

7 Q And in that capacity, you perform  
8 performance appraisals on her?

9 A Yes.

10 Q Any other duties that  
11 encompasses, other than performing  
12 performance appraisals, maybe disciplining  
13 her if the occasion arises?

14 A That would come under the  
15 jurisdiction.

16 Q Okay. Have you ever had to  
17 discipline her?

18 A I'm not sure I understand your  
19 question totally.

20 Q Okay. Have you ever, let's say,  
21 given Ms. Blackledge any formal written  
22 discipline?

23 A No.

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1 BY MR. WILSON:

2 Q And then, I guess, this is  
3 Plaintiff's Exhibit 53. Is this performance  
4 appraisal for Ms. Blackledge for the year,  
5 that was done after that mid-appraisal?

6 A Yes.

7 Q And her score was 25.7?

8 A Yes.

9 Q Which falls under the category of  
10 meets standards, is that correct?

11 A Yes.

12 Q To my knowledge, this is the  
13 first time Ms. Blackledge has been evaluated  
14 below exceeds standards. Does that sound  
15 accurate?

16 MR. TARVER: Object to the  
17 form.

18 Q That you know of -- that you're  
19 aware of?

20 MR. TARVER: Same objection.

21 A I would not -- other than what  
22 Ms. Blackledge has told me, I would have no  
23 knowledge.

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1 different charges.

2 BY MR. WILSON:

3 Q Were you aware Ms. Blackledge had  
4 filed an EEOC charge in 2004?

5 A I didn't know it was an EEOC  
6 charge.

7 Q What did you know?

8 A I knew that there was a grievance  
9 filed, and that was the extent of what I  
10 knew.

11 Q And did you know what it  
12 involved?

13 A No.

14 Q Did you know it involved anything  
15 about race discrimination?

16 A No.

17 Q And how were you made aware of  
18 that, that there was a grievance filed?

19 A Which grievance?

20 Q Well, which one --

21 A I mean, I didn't know about --

22 Q You knew she made some form of  
23 complaint?

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1           A     I knew she was unhappy in the  
2     past. She and I, you know -- I mean, she  
3     was not happy with her evaluations, and I  
4     knew she was following -- you know, making  
5     her unhappiness known to different parties.

6           Q     But prior to that, were you aware  
7     she had made some type of complaint or  
8     grievance, prior to these issues?

9           A     I can't recall when I might have  
10    heard that she had an EEOC.

11          Q     But you heard that at some time?

12          A     Recently, but I don't remember  
13    when.

14          Q     But do you remember there being  
15    any talk about her filing some form of a  
16    complaint, whether or not you knew it was an  
17    EEOC or internal grievance or what?

18          A     Which time are you talking about?

19          Q     I'm talking about prior to these  
20    issues coming up about her performance  
21    appraisal.

22          A     I knew that Ms. Blackledge was  
23    unhappy. I knew that she had filed a

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1 grievance at a time when several other  
2 people in the department had filed a  
3 grievance.

4 Q Are you aware of who those other  
5 people are?

6 A Yes.

7 Q Who is that?

8 A Donna Buckley and Yolanda Thomas.

9 Q And do you know what those  
10 grievances were?

11 A No.

12 Q But you're aware all three of  
13 them had filed some sort of grievance?

14 A Yes.

15 (Whereupon Plaintiff's  
16 Exhibit Number 56 was marked and  
17 attached to the deposition.)

18 BY MR. WILSON:

19 Q This is Plaintiff's Exhibit 56.  
20 It was Defendant's 31. This is from you to  
21 Ms. Blackledge dated January 12th of 2007.  
22 What is this document?

23 A This is in response to Ms.

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1 about anything related to Ms. Blackledge.

2 Q What about Fordyce Mitchell, do  
3 you know Mr. Mitchell?

4 A Yes, I know who he is.

5 Q Have you had any discussions with  
6 him about Ms. Blackledge's performance?

7 A Not that I recall, no.

8 Q Have you had any training on  
9 harassment, discrimination, or retaliation  
10 in the workplace?

11 A Through, like, Personnel? No.

12 Q Are you aware of whether the  
13 department has a policy about harassment and  
14 discrimination in the workplace?

15 A I have not seen one that I  
16 recall.

17 Q So you don't know one way or the  
18 other whether or not they have a  
19 anti-discrimination/anti-harassment policy?

20 A I wouldn't say yes or no.

21 Q Right. You don't know one way or  
22 the other? Is your answer "I don't know"?

23 A Yes, it is I don't know.



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1 Q And you've never seen one?

2 A Not that that I recall.

3 Q What is your understanding of  
4 retaliation in the workplace?

5 A I don't know. I've never been  
6 posed that question before and thought about  
7 it.

8 Q Do you have any concept of  
9 retaliation in the workplace?

10 A Any concept?

11 Q Yeah. Can you explain to me what  
12 your understanding of retaliation is?

13 A Not necessarily in the workplace.

14 Q How about in general?

15 A It has things as far as treatment  
16 towards people, and I always work on  
17 treating everyone fairly, regardless of who  
18 they are.

19 Q But as far as what constitutes  
20 retaliation in the workplace, you don't have  
21 any understanding of what that is?

22 MR. TARVER: Object to the  
23 form.

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1 Q I'm just asking you if you have  
2 any understanding? If your answer is no,  
3 we'll move on.

4 A I would be comfortable I guess in  
5 saying no. I mean --

6 Q Let me take a break and hopefully  
7 be about done here.

8 (Whereupon, a short break was taken.)

9 BY MR. WILSON:

10 Q Just got a few more things to go  
11 over. I'm just going to mark -- a couple of  
12 these might already been in here, but I just  
13 want to go over them real quick. This is a  
14 letter dated July 26th, '06, from Winifred  
15 to you. Do you recognize that letter?

16 A Yes, I recognize it.

17 Q And is that a letter talking  
18 about some issues that you had with Winifred  
19 about some monitoring -- monitoring issues  
20 and about flex time?

21 A It talks about the discussions  
22 that we had had and the expanding role of  
23 her responsibility as a Case Manager -- I'm

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1 a choice that she made. I could sign off on  
2 them.

3 Q Was that helpful that she did  
4 that?

5 A It was in a means of  
6 communication at that point. She could, you  
7 know, just have told me, "Kendra, I'm going  
8 to so and so," or "I'm going out," and list  
9 it on the sign-in sheet. In fact, one time  
10 I asked her one time, you know, list it on  
11 the sign-in sheet where you're going.

12 Q Was she addressing these issues  
13 that you might have had prior to that?

14 MR. TARVER: Object to the  
15 form.

16 A I'm not sure what you're asking.

17 Q What -- did she address issues  
18 about trying to increase her monitoring  
19 assignments and let you know what her  
20 assignment was?

21 A Right. I mean, she did do that  
22 and the hours she was going to do it and  
23 whether or not for comp time.

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1 Q Right. So, I mean, in general,  
2 was she working with you and trying to work  
3 together with you on those issues?

4 A Yes.

5 (Whereupon Plaintiff's  
6 Exhibit Number 62 was marked and  
7 attached to the deposition.)

8 BY MR. WILSON:

9 Q And this is Plaintiff's Exhibit  
10 62, these two pages, memo from her to you  
11 dated October 13th, 2006. And I'll ask you  
12 if you've seen this, and if so, is this  
13 addressing these same issues?

14 A I've seen these.

15 Q You have seen it?

16 A Uh-huh.

17 Q And is that memo addressing some  
18 of those same issues about monitoring?

19 A It's addressing flex and comp  
20 time relating to monitoring.

21 Q And did you work out some sort of  
22 arrangement where she could use flex time?

23 A Employees can use flex time so